

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.19278 of 2016**

Arising Out of PS.Case No. -931 Year- 2015 Thana -SITAMARHI District-  
SITAMARHI

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1. Om Kumar, son of Lalan Sah, R/o – Village - Koat Bazar,  
Govind Nagar, Ward No.-14, P.S.-Sitamarhi, District-  
Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. A.L. Pandit (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH**

ORAL ORDER

2     18-05-2016                      Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,  
arises out of Sitamarhi P.S. Case No.931 of 2015,  
disclosing offences under Section 394 of the Indian Penal  
Code.

Learned counsel for the petitioner has  
submitted that petitioner's implication in this case is based  
on the confessional statement of a co-accused before the

police and there is no other material against him. He has further submitted that similarly circumstanced co-accused, namely, Kishan Kumar, has been granted regular bail by this Court *vide* order, dated 26.04.2016, passed in Cr. Misc. No.17164 of 2016.

However, considering the nature and gravity of the offence, I am not inclined to grant the petitioner the privilege of anticipatory bail.

This application is, accordingly, rejected.

The petitioner, abovenamed, is directed to surrender before the court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned court below on its own merit without being prejudiced by rejection of present application for grant anticipatory bail.

**(Chakradhari Sharan Singh, J.)**

Praveen-II/-

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